

**Commonwealth of Massachusetts
Executive Office of Health and Human Services**

NOTICE OF PUBLIC HEARING

Pursuant to the authority of M.G.L. c. 118E and in accordance with M.G.L. c. 30A, a public hearing will be held remotely on Friday, December 18, 2020, at 10 a.m. relative to the adoption of amendments to:

101 CMR 353.00: Payment for Primary Care Clinician Plan Services (to be renamed as “Payment for Primary Care Clinician Plan Services and Primary Care ACO Participating Primary Care Provider Services”)

These actions are being taken pursuant to the requirements of M.G.L. c. 118E, §§ 13C and 13D. 101 CMR 353.00 governs certain payments to Primary Care Clinicians (PCCs) for Primary Care Clinician (PCC) services provided to MassHealth members as part of the MassHealth PCC Plan, and to Primary Care Accountable Care Organization (ACO) participating Primary Care Providers (participating PCPs) for participating PCP services provided to members enrolled in MassHealth Primary Care ACOs.

The proposed amendments include updates to (i) reflect updated terminology and current policy; (ii) incorporate the current standard provision concerning reporting requirements and penalties for non-compliance; and (iii) incorporate updates that were previously issued through administrative bulletin 19-09 clarifying that the \$10 enhancement may be payable to Primary Care ACO participating PCPs for certain eligible PCP services provided to members enrolled in MassHealth Primary Care ACOs.

EOHHS is making these changes, subject to federal approval, to ensure that payments are reasonable and adequate to meet the costs that must be incurred by efficiently and economically operated facilities, and to ensure that payment rates are consistent with efficiency, economy, and quality of care. There is no anticipated fiscal impact as a result of the proposed amendments. There is no fiscal impact on cities and towns.

The proposed amendments are effective May 14, 2021.

Due to the coronavirus emergency, EOHHS is holding this public hearing remotely on the date and time specified above. Details and instructions for participating and testifying remotely (such as through phone line or online connection) at the remote public hearings will be published online at www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings and are included in this notice below. If you plan to testify at the remote hearing, EOHHS strongly encourages you to register in advance; see below for instructions. EOHHS encourages you to submit written testimony in addition to, or instead of, providing testimony at the hearing; see below for instructions. Additionally, requests for copies of proposed regulations will not be accepted in person. Details for obtaining copies of proposed regulations are set forth below.

To join the remote hearing online, go to <https://statema.webex.com>, and enter meeting ID 644 151 469. To join the remote hearing by phone, call (866) 692-3580, and enter meeting ID 644 151 469# when prompted. As an alternative to attending the remote hearing, you can view an unofficial live written recording of the hearing in progress provided by the Communication Access Realtime Transcription (CART) service at <https://hricart.1capapp.com/event/eohhs>.



Individuals who notify EOHHS of their intent to testify at the hearing will be afforded an earlier opportunity to speak. Speakers may notify EOHHS of their intention to testify at the hearing by registering online at www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings. Individuals may also submit written testimony by emailing ehs-regulations@state.ma.us. Please submit electronic testimony as an attached Word document or as text within the body of the email with the name of the regulation in the subject line. All submissions must include the sender's full name, mailing address, and organization or affiliation, if any. Individuals who are unable to submit testimony by email should mail written testimony to EOHHS, c/o D. Briggs, 100 Hancock Street, 6th Floor, Quincy, MA 02171. Written testimony must be submitted by 5:00 p.m. on December 18, 2020. EOHHS specifically invites comments as to how the amendments may affect beneficiary access to care.

To review the current draft of the proposed actions, go to www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings or request a copy in writing from MassHealth Publications, 100 Hancock Street, 6th Floor, Quincy, MA 02171. To view or download related supporting materials, go to www.mass.gov/service-details/proposed-regulations-supporting-materials.

Special accommodation requests may be directed to the Disability Accommodations Ombudsman by email at ADAAccommodations@state.ma.us or by phone at (617) 847-3468 (TTY: (617) 847-3788 for people who are deaf, hard of hearing, or speech disabled). Please allow two weeks to schedule sign language interpreters.

EOHHS may adopt a revised version of the proposed actions taking into account relevant comments and any other practical alternatives that come to its attention.

In case of inclement weather or other emergency, hearing cancellation announcements will be posted on the MassHealth website at www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings.

November 27, 2020